

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANA JARVIS, et al.,

Defendants.

FILED
05 OCT 19 PM 4:15

CLERK CR NO. 05-1849-JH

NOTICE OF NON-AVAILABILITY

COMES NOW, counsel for Defendant Geno Berthod, Martin Lopez, III, P.C. (Martin Lopez, III) and states that he will be unavailable for hearings in this matter from November 3, 2005 through November 7, 2005.

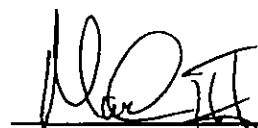
Respectfully submitted,

MARTIN LOPEZ, III
A Professional Corporation



Martin Lopez, III
Attorney for Defendant Geno Berthod
1500 Mountain Rd. NW
Albuquerque, New Mexico 87104
Tele: (505) 243-2900

I HEREBY CERTIFY that a copy of the foregoing was forwarded via facsimile to Assistant U.S. Attorney, James Braun on this 18th day of October, 2005.



Martin Lopez, III

229